



Gloucestershire Constabulary Freedom of Information request 2023.0658

On 19/06/2023, you sent an email constituting a request under the Freedom of Information Act asking the following:

REQUEST 1:

What would you like to know?: How does the police force deal with dogs that are seized?

REQUEST 2:

What would you like to know?: What criteria do you use to categorise a dangerous dog under section 3 of the Dangerous Dog Act?

REQUEST 3:

What would you like to know?: How many dogs have been euthanized on scene and at a later date over the last five years, and if they were considered a banned breed or not, and the rationale behind the decision-making (May 2019 - May 2023)

REQUEST 4:

What would you like to know?: How many dogs have been seized over the last five years from May 2019 - May 2023, if they were considered a banned breed or not and the rationale behind the decision-making of seizing the dog?

REQUEST 5:

What would you like to know?: Who are the contracted kenneling providers for this police force?

REQUEST 6:

What would you like to know?: What is the maximum dog capacity the force has for seized dogs in The Dog Unit?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

I can confirm a search on the relevant systems have been conducted and the results are as follows:

Q1. The destiny of the dog depends on the outcome of the investigation and any Court proceedings.

Q2. A dog is defined as Dangerously Out of Control on any occasion on which there are grounds for reasonable apprehension that it will injure any person or Assistance Dog under the Dangerous Dogs Act.

Q3. 14 dogs have been euthanized, none of were a banned breed all were authorised by the owner following dog bite incidents. This figure does not include any dog subject to Court proceedings.

Q4. 25 dogs in total have been seized from May 2019 – May 2023, 1 of the dogs were considered a banned breed, other than the suspected banned breed dog, all dogs would have been seized as they may have consider to be a danger to public safety.

Q6. There is no defined limit on the maximum dog capacity.

With regards to Q5, the name of the kennel providers will not be disclosed.

Section 17 of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

The following the following exemptions apply:

Section 38(1)(a) & (b) – Health & Safety

The above exemption is qualified and prejudice based therefore both a Public Interest Test and Harm Test is required.

Harm Test

The Constabulary has a responsibility and a duty of care to protect the safety of the kennel providers and the members of staff who work in these locations, and must be conscious of the harm, distress and damage that could be caused to not only the staff but the physical kennel facilities if the details were released into the public domain and were made available to those who wish to disrupt the service provided.

To release the contracted kennel provider's details could cause significant harm by subjecting staff to threats and verbal abuse, even potentially endangering their safety and the safety of the animals in their care, causing distress to the animals.

Public Interest Test

Reason for disclosure

If this information was placed into the public domain, it could provide further transparency to the community regarding the welfare of the animals placed within their care and provides transparency regarding the use of public funds.

Reasons against disclosure

The release of this information would cause a loss of confidence between the constabulary and the kennel providers as the constabulary has a duty of care for their wellbeing, as if this information was to be released it would endanger the physical safety the staff who work in these locations by subjecting them to threats and verbal abuse and destruction to the kennels themselves. This would result in causing a welfare issue with the animals who are residing in the kennels. It would also have an effect on the future use of alternative kennels and services being provided to the constabulary if other providers do not trust that their details, i.e. staff and facilities are protected.

Balance Test

The strongest reason for disclosure is that it could provide the community with information regarding the use of public funds and the transparency of the welfare of the animals. It is deemed that this is unlikely to outweigh the reasons against disclosure as the harm which would be caused to the kennel provider's trust in the constabulary would be far greater than the transparency of the welfare and the use of the public funds. Therefore the balance test falls on the side on non-disclosure.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary